

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION**

<b>MICHAEL BAZZREA, et al</b>	§	
<b>Plaintiffs,</b>	§	<b>Case No. 3:22-cv-00265</b>
<b>v.</b>	§	
<b>LLOYD AUSTIN, III, et al.,</b>	§	<b>MOTION FOR LEAVE TO</b>
<b>Defendants.</b>	§	<b>FILE SUPPLEMENTAL</b>
	§	<b>AUTHORITY</b>

---

**PLAINTIFFS' UNOPPOSED MOTION  
FOR LEAVE TO FILE SUPPLEMENTAL AUTHORITY**

Plaintiffs submitted a Motion for Preliminary Injunction on Aug. 16 (ECF 17). The issue has been fully briefed by both parties and this past Tuesday, Nov. 29, 2022, the Court set the matter for hearing (ECF 58). On the same day, the Sixth Circuit Court of Appeals handed down its decision in *Doster v. Kendall*, No. 1:22-cv-00084 (S.D. Oh.)(App. No. 22-3497/3702). Because of the similarity of both legal and factual issues to the case at bar, the Plaintiffs Move to file it as supplemental authority for the Court's consideration. The Defendants do not oppose the Motion.

A court should grant leave to file supplemental authority where the movant “show[s] that it has new information that was not available at the time it filed its [earlier motion]” and “demonstrates that this information is relevant to the Court’s ... analysis and would therefore aid the justiciable disposition of [the] case.” *Silvas v. Equifax Info. Services, LLC*, 3:19-CV-2932-K, 2020 WL 4000848, at \*2 (N.D.

Tex. July 15, 2020) (*quoting Hoffman v. AmericaHomeKey, Inc.*, 2014 WL 12577347, at \*1–2 (N.D. Tex. July 29, 2014)) (granting leave to file supplemental authority concerning three cases that were not available during the initial briefing and which were relevant to the court’s analysis).

Plaintiffs in these proceedings have previously cited to *Doster* and other related, military RFRA cases; the *Doster* decision addresses many of the same legal issues and arguments by both parties. Given the nature of service in the Armed Forces, the *Doster* decision also addresses very similar factual circumstances to those of the Plaintiffs and Defendants here.

Dated: December 5, 2022 Respectfully submitted,

/s/ Dale Saran  
Dale Saran, Esq.  
MA Bar #654781  
19744 W 116th Terrace  
Olathe, KS 66061  
Telephone: 480-466-0369  
Email: dalesaran@gmail.com

/s/ Travis Miller  
Texas Bar #24072952  
/s/ Brandon Johnson  
Brandon Johnson  
DC Bar No. 491370  
Defending the Republic  
2911 Turtle Creek Blvd.,  
Suite 300 Dallas, TX 75219  
Tel. 214-707-1775  
Email: bcj@defendingtherepublic.org

/s/ Simon Peter Serrano

S. Peter Serrano, Esq.  
WA Bar #54769  
5238 Outlet Dr.  
Pasco, WA 99301  
Telephone: 530-906-9666  
Email: pete@silentmajorityfoundation.org

*Attorneys for the Plaintiffs*

**CERTIFICATE OF SERVICE**

This is to certify that I have on this day e-filed the foregoing Motion using the CM/ECF system.

Dated: December 5, 2022

Respectfully Submitted,

*/s/ Dale Saran*  
Dale Saran

**CERTIFICATE OF CONFERENCE**

I hereby certify that I conferred with counsel for Defendants by email on December 2, 2022, and that Defendants do NOT oppose this motion.

*/s/ Dale Saran*  
Dale Saran